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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

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14 WALTER SPURLOCK and ANDRE
GUIBERT,

15 Plaintiffs,

16 vs.

17 CITY AND COUNTY OF SAN
FRANCISCO, AIRPORT COMMISSION OF
18 THE CITY AND COUNTY OF SAN
FRANCISCO, DOE 1 in his individual
19 capacity and official capacity as Aviation
Security and Regulatory Compliance Officer at
20 the San Francisco International Airport, and
JEFF LITTLEFIELD in his individual capacity
21 and official capacity as Chief Operating
Officer at San Francisco International Airport,

22 Defendants.
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Case No. 3:23-cv-4429

**DEFENDANTS' REQUEST FOR JUDICIAL
NOTICE IN SUPPORT OF MOTION TO
DISMISS THE COMPLAINT**

REQUEST FOR JUDICIAL NOTICE

Defendants respectfully request that the Court take judicial notice of relevant portions of the Charter of the City and County of San Francisco (“S.F. Charter”): Article 1, section 1.101 and Article IV, sections 4.100, 4.102, 4.115, and 4.126. These provisions are attached as Exhibit A to the Declaration of Molly J. Alarcon in Support of Defendants’ Request for Judicial Notice (the “Declaration”). They are also available online at the URLs indicated in the Declaration.

Pursuant to Federal Rule of Evidence 201, the court “may judicially notice a fact that is not subject to reasonable dispute because it: (1) is generally known within the trial court’s territorial jurisdiction; or (2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.” Fed. R. Evid. 201(b). As a public record, the S.F. Charter is a proper matter for judicial notice. *E.g., Santa Monica Food Not Bombs v. City of Santa Monica*, 450 F.3d 1022, 1025 n.2 (9th Cir. 2006) (taking judicial notice of portions of city ordinances); *Dudum v. Arntz*, 640 F.3d 1098, 1101 n.6 (9th Cir. 2011) (taking judicial notice of official election results on city website).

These provisions of the S.F. Charter are relevant to Defendants’ arguments in their Motion to Dismiss that the Airport Commission of the City and County of San Francisco is not a proper Defendant in this matter. *See* Defendants’ Memorandum of Points and Authorities in Support of Motion to Dismiss, Section V.

For these reasons, Defendants respectfully request that the Court take judicial notice of Article 1, § 1.101, and Article IV, §§ 4.100, 4.102, 4.115, and 4.126 of the S.F. Charter.

Dated: November 27, 2023

Respectfully submitted,

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By: /s/ Molly J. Alarcon

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